

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

JOSE SANCHEZ RAMOS

Plaintiff,

v.

BAWADI, INC.
and KHALID MEKKI

Defendants

Case No. 1:17-cv-924-LMB-TCB

**Final Pretrial Conference:
April 19, 2018**

Joint Pretrial List of Exhibits, Witnesses, and Uncontested Facts

I. Exhibits

A. Plaintiff Will Introduce

1. Photographs taken by Plaintiff, and associated metadata.

B. Plaintiff May Introduce

1. The Complaint (ECF No. 1) and Answer (ECF No. 11);
2. Defendants' responses to Plaintiff's interrogatories;
3. Defendants' responses to Plaintiff's requests for production of documents;
4. Defendants' responses to Plaintiff's requests for admissions;
5. Screenshots of Plaintiff's Facebook messages with Yorleni Hernandez and Trukita Rivera

C. Defendants May Introduce

1. The Complaint (ECF No. 1) and Answer (ECF No. 11)

2. Plaintiff's responses to Defendant's Interrogatories
3. Plaintiff's responses to Defendant's Request for Production of Documents
4. Plaintiff's responses to Defendant's Requests for Admissions
5. Defendant Bawadi Inc.'s 2016 Tax Returns

II. Witnesses

A. Plaintiff Will Call

1. José Sanchez Ramos

B. Plaintiff May Call

1. Khalid Mekki
2. Sara Mekki
3. Mirta de Leon
4. Claudio Menenses
5. Celestino Gomez
6. Ali Mohamed Ali
7. Cindi Reyes

C. Defendants May Call

1. Khalid Mekki
2. Sara Mekki
3. Jose Sanchez Ramos
4. Mirta de Leon
5. Claudio Menenses
6. Celestino Gomez
7. Ali Mohamed Ali

8. Cindi Reyes

III. Uncontested Facts

- A. Defendant Bawadi, Inc. (“Bawadi Restaurant”) is a Virginia corporation located in Fairfax County, Virginia, operating as a halal restaurant and Middle Eastern bakery. It does business under the name “Bawadi Mediterranean Grill and Sweets Café.” [Complaint, ECF No. 1 at ¶1; Answer, ECF No. 11 at ¶1].
- B. Defendant Khalid Mekki is an officer and a director of Bawadi Restaurant. He is an owner and the general manager of Bawadi Restaurant. [Complaint at ¶8; Answer at ¶8].
- C. Defendants were Plaintiff’s “employer” under the Fair Labor Standards Act. [Defendants’ Responses to Requests for Admission #1].
- D. Defendant Mekki controls the day-to-day operations of Bawadi Restaurant [Complaint at ¶9; Answer at ¶9].
- E. Defendant Mekki had the power to hire and fire workers for all positions at Bawadi Restaurant. [Complaint at ¶10; Answer at ¶10].
- F. Defendants directly or indirectly set Mr. Sanchez’s work schedule, or had the power to do so. [Complaint at ¶11; Answer at ¶11].
- G. Defendants determined Mr. Sanchez’s pay rate and method of payment. [Complaint at ¶12; Answer at ¶12].
- H. Defendants maintained all records related to Mr. Sanchez’s employment. [Complaint at ¶13; Answer at ¶13].
- I. At all relevant times, Defendants had at least two employees who were engaged in interstate commerce, or who handled, sold, or otherwise worked on goods or materials that moved in interstate commerce. [Complaint at ¶14; Answer at ¶14].
- J. The gross annual business volume of Bawadi Restaurant exceeded \$500,000 in 2017. [Complaint at ¶15; Answer at ¶15].
- K. Bawadi Restaurant regularly ordered and received supplies from other states, or that had traveled through interstate commerce. [Complaint at ¶16; Answer at ¶16].
- L. José Sanchez Ramos worked as a food-preparation worker at Bawadi Restaurant from about September 2016 to about May 23, 2017. [Complaint at ¶17; Answer at ¶17; Defendants’ Response to Plaintiff’s Interrogatory #3].
- M. Throughout Mr. Sanchez’s employment, Defendant Mekki was present at the Restaurant almost every day. He worked in the Restaurant’s administrative office, talked with

customers, and occasionally checked in to see how things were going in the kitchen.
[Complaint at ¶24; Answer at ¶24].

- N. Throughout his employment, Mr. Sanchez received his wages directly from Mr. Mekki as cash in hand. [Complaint at ¶34; Answer at ¶34].
- O. In September 2016, Defendant Mekki paid Mr. Sanchez at a rate of \$500 per week. [Complaint at ¶18; Defendants' Response to Plaintiff's Interrogatory #5].
- P. From December 2016 until May 5, 2017, Defendant Mekki paid Mr. Sanchez at a rate of \$600 per week. [Complaint at ¶26; Defendants' Response to Plaintiff's Interrogatory #5].

Respectfully submitted,

April 18, 2018

/s/ Nicholas Cooper Marritz
Nicholas Cooper Marritz (VSB #89795)
Hallie Ryan (VA Bar No. 85927)
legal aid justice center
6066 Leesburg Pike, Suite 520
Falls Church, VA 22041
Tel: (703) 720-5607
Fax: (703) 778-3454
nicholas@justice4all.org

Counsel for Plaintiff

/s/ Ashraf Nubani
Ashraf Nubani
VA Bar No. 43595
AWN Point Law, PLLC
2677 Prosperity Drive, Suite 320
Fairfax, VA 22031
(703) 658-5151
awn@awnpointlaw.com

Counsel for Defendants